

Re: Correspondence re Defendants' Failure To Provide Proper Injunction Certification

Steven Vachani

Thu 5/11/2017 9:01 PM

Sent Items

To: Cooper, Monte <mcooper@orrick.com>;

Cc: Amy Sommer Anderson <anderson@aroplex.com>; Schwenk, Andrew <andrew.schwenk@hugheshubbard.com>; Lee, Thomas H. <thomas.lee@hugheshubbard.com>; Chatterjee, Neel <NChatterjee@goodwinlaw.com>; Uriarte, Robert L. <ruriarte@orrick.com>; Wang, Victor <VWang@goodwinlaw.com>; Dalton, Amy <adalton@orrick.com>; Shumsky, Eric A. <eshumsky@orrick.com>; Holden Jr., Frederick D. <fholden@orrick.com>;

I believe that my letter is unambiguous in explaining my compliance with all sections of the courts May 2nd order.

Nonetheless, in light of your objection, I would request that we take another 24 hours to see if we can find an acceptable language.

I will hold off on filing anything today to allow us to make a good faith effort to resolve this directly.

If you have a specific recommendation of language that I could include in my representation of compliance, I would welcome your suggestion.

On May 11, 2017, at 9:38 PM, Cooper, Monte <mcooper@orrick.com> wrote:

Steve:

The Permanent Injunction is unambiguous that you must comply with its terms and exactly the same as Power. Facebook still objects to your revised certification.

Monte

Sent from my iPhone

On May 11, 2017, at 5:28 PM, Steven Vachani <yachani@outlook.com> wrote:

Monte, you are correct regarding the statement under penalty of perjury. I have added that. Please see revised statement and let me know if you have any specific further objections. This is a draft version for your review.

I will wait for your further comments before filing final version.

Also, I apologize but I don't understand your other comments. I don't think its necessary for the court to differentiate between the obligations. Are you trying to imply that I in my individual capacity have any rights to make make representations of decisions regarding the IP and property of my co-defendant.

Please do explain.

Thanks,

Steve

From: Cooper, Monte <mcooper@orrick.com>
Sent: Thursday, May 11, 2017 8:16 PM
To: Steven Vachani; Amy Sommer Anderson; Schwenk, Andrew; Lee, Thomas H.
Cc: Chatterjee, Neel; Uriarte, Robert L.; Wang, Victor; Dalton, Amy; Shumsky, Eric A.; Holden Jr., Frederick D.
Subject: RE: Correspondence re Defendants' Failure To Provide Proper Injunction Certification

Steve:

It is Facebook's position that this certification letter still does not comply with the Permanent Injunction. The Court did not make any distinction between your own and Power Ventures' obligations to comply with the requirements of her Order. That includes the requirement that whatever certification you make, it must be under penalty of perjury.

Monte

From: Steven Vachani [<mailto:vachani@outlook.com>]
Sent: Thursday, May 11, 2017 4:36 PM
To: Cooper, Monte <mcooper@orrick.com>; Amy Sommer Anderson <anderson@aroplex.com>; Schwenk, Andrew <andrew.schwenk@hugheshubbard.com>; Lee, Thomas H. <thomas.lee@hugheshubbard.com>
Subject: Re: Correspondence re Defendants' Failure To Provide Proper Injunction Certification

Monte, I intend to file the following updated representation of compliance on behalf of myself in an individual capacity. Prior to filing this, I would prefer to confirm if you will have any further objections to this.

I realize that you have significant objections to statements from Power Ventures Inc in the original compliance, but I trust those will be resolved separately with the assistance from Ms. Anderson.

Have you been able to connect with Ms. Anderson?

It is my suggestion that you confirm with Ms. Anderson when she can consult with her client Power Ventures Inc. to resolve their updated representation of compliance.

From: Steven Vachani <vachani@outlook.com>

Sent: Thursday, May 11, 2017 2:58 PM

To: Cooper, Monte; Amy Sommer Anderson; Schwenk, Andrew; Lee, Thomas H.

Cc: Dalton, Amy; Uriarte, Robert L.; Shumsky, Eric A.; Wang, Victor; Holden Jr., Frederick D.; Bursik, Helena E.; Chatterjee, Neel

Subject: Re: Correspondence re Defendants' Failure To Provide Proper Injunction Certification

Monte, per Docket 440 that both defendants filed with the court today, defendants have rescinded and recalled letter representing compliance (docket 439) in response to the letter you sent yesterday. Going forward, it is more likely that defendants will respond separately on this specific issue.

Regarding Power Ventures Inc. I ask them you please directly address Power Ventures Inc. counsel. Amy Anderson, on all issues relating to Power Ventures Inc. Power Ventures Inc. has dozens of shareholders who are affected by this order. Ms. Anderson has best knowledge of her client Power Ventures Inc. and can best represent their interests and intentions.

If Ms. Anderson fails to respond to you, I ask them you please communicate with Ms. Anderson to get her response on issues relating to Power Ventures Inc.

Responding on behalf of myself as a pro-se defendant, I do intend to file an updated letter representing compliance or an appropriate response on behalf of me personally and it is my goal to file something by this evening.

Ms. Anderson will respond to you regarding Power Ventures Inc. intentions.

Thank you,

Steve

From: Cooper, Monte <mcooper@orrick.com>

Sent: Wednesday, May 10, 2017 11:09 PM

To: Amy Sommer Anderson; Steven Vachani; Schwenk, Andrew; Lee, Thomas H.

Cc: Dalton, Amy; Uriarte, Robert L.; Shumsky, Eric A.; Wang, Victor; Holden Jr.,

Frederick D.; Bursik, Helena E.; Chatterjee, Neel

Subject: Correspondence re Defendants' Failure To Provide Proper Injunction Certification

Steve and Amy:

Please find attached correspondence directed to Defendants' failure to properly certify compliance with the Court's May 2, 2017 Judgment and Permanent Injunction.

Monte

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<Steven Vachani Letter to the District Court-Judge Koh - Steven Vachani updated Representation of Compliance of May 2nd order - Dkt 437 - DRAFT LETTER FOR REVIEW.pdf>

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